

UPDATED INFORMATIVE DIGEST

The enactment of Assembly Bill (AB) 205 (Chapter 421, Statutes of 2003) added Family Code Sections 297.5 and 299.2 and amended Family Code Section 298.5, giving California registered domestic partners the same rights protections, benefits, responsibilities, obligations and duties as spouses with certain exceptions. Currently, the CalWORKs Manual of Policy and Procedures regulations treat a domestic partners as an adult male/female having no relationship to their partner or the child of their partner. As a result of the changes in the Family Code, registered domestic partners now have the same rights and obligations with respect to a partner's child as would apply to a stepparent or former stepparent of a child. The proposed regulations will amend CalWORKs regulations to give California registered domestic partners these rights and obligations within the CalWORKs program.

These regulations were considered at the Department's public hearing held on September 13, 2006. There was no oral or written testimony submitted as a result of the public hearing.

Minor nonsubstantive changes were made as follows:

For clarity, the term 'registered' has been removed from various sections of the regulations to avoid confusion with the term "Registered Domestic Partner" in the Family Code. Removing this term in certain references will minimize confusion between California Registered Domestic Partners and California Domestic Partners for purposes of CalWORKs, which includes both those registered with the Secretary of State and valid legal unions from other jurisdictions that are substantially equivalent.

Section 43-103.3 was amended to state that for purposes of this section, a stepparent includes the California registered domestic partner of a parent.

Sections 43-103.621 through .621(b) are removed as these regulations are not necessary because they are included in statute.

Sections 80-301(c)(1)(B)(i) through (i)(2) are removed as these regulations are not necessary because they are included in statute.

In Sections 80-301(s)(9), 82-808.112, and .113 the phrase "Registered Domestic Partner" has been changed to lower case, as this is not a title and it doesn't require capitalization.

A 15-day renote was not required because only nonsubstantive changes were made after the public hearing.